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VIA FACSIMILE

**MEMO ENDORSED**

The Honorable Laura Taylor Swain  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St., Room 755  
New York, NY 10007

**Re: Case No. 07-8710(LTS)(RKE) - Klein vs. Kent McCarthy, Jayhawk Capital Management, L.L.C., Jayhawk Institutional Partners, L.P., and Jayhawk Investments, L.P.**

Dear Judge Swain:

Defendants Kent McCarthy, Jayhawk Capital Management, L.L.C., Jayhawk Institutional Partners, L.P., and Jayhawk Investments, L.P., by and through counsel admitted pro hac vice, Gregory T. Wolf, respectfully request an adjournment of the pretrial conference currently set in this case for February 8, 2008 at 3:15 p.m. in Courtroom 17C. Other than on February 11, 2008, counsel is available for the conference to be re-set on any day of the week of February 11, 2008. The parties have not previously requested adjournment of this conference. Plaintiff has no objection to this request.

Thank you for your consideration.

The conference is adjourned  
to February 15, 2008 at  
10:00 AM.

Sincerely,

Cc: Paul Wexler (by email)

SO ORDERED.

Laura Taylor Swain  
UNITED STATES DISTRICT JUDGE

Geneva  
Houston  
Kansas City  
London  
Miami  
Orange County  
San Francisco  
Tampa  
Washington, D.C.